

B1040 (FORM 1040) (12/15)

<b>ADVERSARY PROCEEDING COVER SHEET</b> (Instructions on Reverse)		<b>ADVERSARY PROCEEDING NUMBER</b> (Court Use Only)
<b>PLAINTIFFS</b> ANA MILAGROS RODRIGUEZ a/k/a ANA MILAGROS MARTE	<b>DEFENDANTS</b> NEW YORK STATE HIGHER EDUCATION SERVICES CORPORATION	
<b>ATTORNEYS</b> (Firm Name, Address, and Telephone No.)  JOAN L. BERANBAUM, ESQ. Jocelyn A. Smith, of Counsel DC 37 Municipal Employees Legal Services Plan 125 Barclay Street New York, New York 10007	<b>ATTORNEYS</b> (If Known)	
<b>PARTY</b> (Check One Box Only) <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	<b>PARTY</b> (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input checked="" type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	
<b>CAUSE OF ACTION</b> (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED)  To determine the dischargeability of a student loan(s) pursuant to Section 523(a)(8) of the Bankruptcy Code		
<b>NATURE OF SUIT</b> (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)		
<b>FRBP 7001(1) – Recovery of Money/Property</b>  <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other  <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property <b>7001(2) – Validity, Priority or Extent of Lien</b>  <b>FRBP 7001(3) – Approval of Sale of Property</b>  <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h)	<b>FRBP 7001(6) – Dischargeability (continued)</b>  <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input checked="" type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other <b>FRBP</b>  <b>FRBP 7001(7) – Injunctive Relief</b>  <input type="checkbox"/> 71-Injunctive relief – imposition of stay <input type="checkbox"/> 72-Injunctive relief – other	
<b>FRBP 7001(4) – Objection/Revocation of Discharge</b>  <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e)	<b>FRBP 7001(8) Subordination of Claim or Interest</b>  <input type="checkbox"/> 81-Subordination of claim or interest	

## FRBP 7001(5) – Revocation of Confirmation

## FRBP 7001(9) Declaratory Judgment

☐ 51-Revocation of confirmation

91-Declaratory judgment

## FRBP 7001(6) – Dischargeability

## FRBP 7001(10) Determination of Removed Action

☐ ☐ 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims 62-Dischargeability - §523(a)(2), false pretenses, false representation,☐ 01-Determination of removed claim or cause actual fraud Other☐ 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny ☐ SS-SIPA Case – 15 U.S.C. §§78aaa *et seq.*

(continued next column)

☐ 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case)☐ Check if this case involves a substantive issue of state law☐ Check if this is asserted to be a class action under FRCP 23☐ Check if a jury trial is demanded in complaint

Demand \$ 1700

Other Relief Sought

## B1040 (FORM 1040) (12/15)

## BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES

NAME OF DEBTOR  
ANA MILAGROS RODRIGUEZ  
a/k/a ANA MILAGROS MARTEBANKRUPTCY CASE NO.  
17-46466-essDISTRICT IN WHICH CASE IS PENDING  
EasternDIVISION OFFICE  
Brooklyn, NYNAME OF JUDGE  
The Hon. Elizabeth S. Stong

## RELATED ADVERSARY PROCEEDING (IF ANY)

PLAINTIFF

DEFENDANT

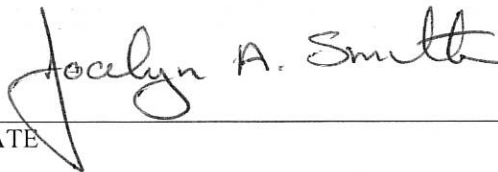
ADVERSARY  
PROCEEDING NO.

DISTRICT IN WHICH ADVERSARY IS PENDING

DIVISION OFFICE

NAME OF JUDGE

SIGNATURE OF ATTORNEY (OR PLAINTIFF)



DATE

March 9, 2018

PRINT NAME OF ATTORNEY (OR PLAINTIFF)

DC 37 Municipal Employees Legal Services Plan  
125 Barclay Street  
New York, New York 10007